

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

GARY RICE,

Plaintiff,

Case No. 3:20-cv-39

vs.

WAL-MART STORES EAST, INC.,

District Judge Michael J. Newman

Defendant.

**ORDER AND ENTRY: (1) DISMISSING THIS CASE WITH PREJUDICE AND
(2) TERMINATING THIS CASE ON THE COURT'S DOCKET**

The Court, having been advised that the above-captioned matter has been settled, **IT IS ORDERED** that this action is hereby **DISMISSED**, with prejudice as to all parties, provided that any of the parties may, upon good cause shown within ninety (90) days, reopen the action if settlement is not consummated. Within ninety (90) days, the parties may move to substitute this Order and Entry with a proposed dismissal entry agreed upon by the parties.

Parties intending to preserve this Court's jurisdiction to enforce the settlement should be aware of *Kokkonen v. Guardian Life Ins. Co. of Am.*, 511 U.S. 375, 381-82 (1994), and incorporate appropriate language in any substituted judgment entry. The Court will retain jurisdiction to enforce the terms of the settlement, if necessary.

IT IS SO ORDERED.

Date: January 19, 2021

s/ Michael J. Newman
Michael J. Newman
United States Magistrate Judge